

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

United States of America,	)	
	)	
	)	Criminal No. 2:18-cr-782-BHH
v.	)	
	)	<b><u>ORDER</u></b>
Quinton Allen Manigault,	)	
	)	
Defendant/Movant.	)	
_____	)	

This matter is before the Court upon Defendant/Movant Quinton Allen Manigault's ("Manigault") pro se "motion for consideration and extension for extra time," which was filed on June 15, 2023. (ECF No. 238.) In his motion, Manigault asks the Court to permit him to file "an amended structured 28 U.S.C. § 2255 packet" because "his first was flawed, did not contain all his grounds, nor do the justice necessary to adequately satisfy per 28 U.S.C. § 2253(c)." (*Id.* at 1.) Manigault also requests 45 days from the Court's ruling on his instant motion to obtain assistance and file his briefs. (*Id.*)

After review, the Court denies Manigault's motion. First, the Court notes that Manigault previously filed a motion pursuant to 28 U.S.C. § 2255, which this Court denied in an opinion and order filed on December 5, 2022. (See ECF Nos. 225 and 234.) Manigault did not appeal the Court's opinion and order or judgment.

Importantly, on July 24, 2023, the Fourth Circuit Court of Appeals denied Manigault's motion under 28 U.S.C. § 2244 for an order authorizing this Court to consider a second or successive application for relief under 28 U.S.C. § 2255. (ECF No. 239.) See 28 U.S.C. § 244(b)(3)(A) ("Before a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of

appeals for an order authorizing the district court to consider the application.”); 28 U.S.C. § 2255(h) (stating that “[a] second or successive motion must be certified as provided in section 2244 by a panel of the appropriate court of appeals”). Because Manigault has not received permission to file a second or successive § 2255 motion, this Court does not have jurisdiction to consider a second or successive § 2255 motion, and the Court likewise finds no basis to grant Manigault’s instant motion for an extension of time to file a second or successive § 2255 motion. Furthermore, to the extent Manigault’s instant motion seeks reconsideration of the Court’s prior opinion and order, the Court finds that his motion is untimely and does not set forth any reason justifying reconsideration under either Rules 59(e) or 60 of the Federal Rules of Civil Procedure.

Based on the foregoing, the Court hereby denies Manigault’s motion “for consideration and extension of extra time” (ECF No. 238).

**IT IS SO ORDERED.**

/s/Bruce H. Hendricks  
United States District Judge

October 31, 2023  
Charleston, South Carolina